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urgent / time sensitive

**TO: The Hon. Jacqueline Cox, Bankruptcy Judge**  
Northern District of Illinois, Eastern Div.

**FROM: Virgil Liptak, Debtor in Possession Chapter 11 No. 03-B-29854**

**DATE: 11-11-03**

**RECIPIENT'S FAX #: C/O Clerk of Court @ 312.408.7750**

**REGARDING: Request for Appointment of Counsel to INVESTIGATE MISCONDUCT**  
per Local Rule 83.29, Copy of Rule Attached

**TOTAL NUMBER OF PAGES TRANSMITTED (INCLUDING COVER): 27**

**FILED**  
UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
NOV 14 2003

Dear Judge Cox:

I am faxing a copy of this letter to all parties. In brief, I am ~~requesting~~ **requesting** pursuant to **Local Rule 83.29** with copy of such published Rule attached] for the appointment of ~~one or more~~ **one or more** independent attorneys [preferably a minority who is active in any "civil rights" bar or special counsel Bar], who knows something about the subject, and who will honestly and independently investigate my claims including, that the Office of the U.S. Trustee has intimidated attorneys [including Sara Cook who e-mailed what any observer would conclude as a confirmation] and the lawyers who I ended up hiring, Forrest Ingram and Martin Tucker, who are suddenly seeking to withdraw [Tucker claims to be leaving the State] by what a casual observer would conclude is solely because I asked them to prosecute my civil rights, within the context of this Court's jurisdiction, and save me from oppression in the city that killed Kennedy, with a magic bullet. Without you, I am lost, and will likely have all of my assets taken, and wind up in some jail, if not worse. I do not raise these claims lightly. In over 30 years of practice, including as a judge for the *National Association of Securities Dealers*, from offices in Chicago on LaSalle, I was never the subject of even a grievance, much less any law suit.

AT THE OUTSET, I ASK THAT YOU DO **NOT** SET ANY HEARING ON, AND THAT YOU **DO NOT APPROVE ANY FEE APPLICATIONS FOR MSSRS. INGRAM, TUCKER** OR ANY OTHER LAWYER PURPORTING TO REPRESENT ME, WITHOUT AT LEAST 30 DAYS NOTICE TO ME, AND BY ORAL EVIDENCIARY HEARING, WITH POWER TO SUBPENA OTHER ATTORNEYS I CONSULTED WITH AND WITNESSES WHO HAVE KNOWLEDGE OF RELEVANT FACTS.

I came to Mr. Ingram, because some lawyers would not take my money, and because of

his website, that made him appear to be a Messiah. After confirming on the phone and in person, that he was able and willing to prosecute a civil rights claim, and that he would not sell me out to the other side, and had been a priest, I gave him the money. I believe he committed knowing deceptive trade practices to induce me into an unfair relationship of trust. He did not intend to perform, since he has violated most every representation he made to me. He is seeking to charge me over \$30,000 for doing virtually nothing but seeking extensions of time in this Court, while making me do his work for him, making me file things in the wrong courts (which he knew he was not admitted to practice in), and effectively colluding with my adversaries to harm me. Just a week or so ago, he wrote to me telling me, that he had just exceeded \$10,000. Now that he wants to leave me in the ditch, he says its more than \$30,000. I can't believe a word he says.

I reasonably believe that Mr. Ingram has committed official misconduct, has effectively sold me out, has made secret agreements with my adversaries and the Trustee, to do so, and that, without a full and fair investigation, I will be irreparably harmed and damaged, without any adequate, effective or meaningful remedy. My life and reputation for 30 years is in your hands.

Because of emergency, caused by the delay and other acts and omissions of Mr. Ingram and his associate, I am writing directly to comply with deadlines, that he has consistently and without exception, failed to meet, and that I have never caused nor asked for. If not for my prior filings in this Court, and him signing some of what I had to produce, there would be nothing in this Court's Record to review, save some boiler-plate, where he changed the names.

As just a sampling offer of my proof, I am attaching an exact copy of my Reply of Movant For Partial Summary Judgment, that I produced in one day, on Sunday, after Mr. Ingram failed to file anything, as it was due over a week ago, and first showed me what he intended to file, late last Saturday. I ask that you deem it to be timely filed. I will fax this letter and a copy to all parties at interest as provided on the attached *Certificate of Service*. I am also sending, by U.S. Mail the original, and copies for filing with the Clerk of Court. I can tell you that the Clerk has accepted and file marked things, in the past, then denied that they had them, until Clerk Celeste found one of them, and produced it for me on September 25<sup>th</sup>. Please ask her.

Because I am limited by time, and because there is so much to tell, I will cite only a sample of my *prima facie* case for why an independent investigation is warranted. Before hiring Mr. Ingram, I consulted with numerous lawyers; even before filing in Chicago. A dear friend, and attorney (who has practiced solely in consumer bankruptcy for 19 years in Dallas) has been a witness to the oppression, retaliation and intimidation I have faced from state and federal judges in Dallas. She is the one who alerted me to the fact that 28 U.S.C. § 1408 provides for a Chapter 11 to be filed in the court where the Debtor's principal asset lies, in this Case, that happened to be Chicago. Although I was born raised and earned my BA in and around Chicago, and still have numerous business contacts there, I did not plan and did not know that my largest asset happened to be in Chicago, till my friend told me to look, when facing the last of 8 (eight) lawsuits [this one in Pennsylvania] in the last eight years, from my former wife, who divorced me in 1993. My funds have been effectively garnished since 1996.

Several law firms agreed to represent me, but then at the last minute, suddenly changed their minds, though I offered to pay their regular fees. I believe that they were improperly influenced by the Trustee's attorneys, as an arm of the Justice Department, to whom I have made complaints regarding judicial corruption in Texas and the 5<sup>th</sup> Circuit, and the adverse lawyers who have repeatedly suborned perjury, falsely testified themselves, and made misleading legal

arguments as a matter of course. By threat of bad-faith, the Trustee withdraw her Motion to Dismiss. My lawyers told me it was not a strong point for me. Unless done in every case, I fail to see why not? I don't complain of all lawyers and all judges. Several judges ruled for me, but mysteriously disappeared, after they did so. At least two lawyers and other witnesses have either testified of the appearance of crime, fraud and corruption, or made statements to that effect. In all respects, I have interviewed at least two hundred lawyers over the last 8 years, and with virtually no exceptions, unless they have a death wish, they will not make allegations of corruption, for fear of the retaliation from judges, exactly like that which I have suffered.

I further believe that lawyers I hired in Ft. Worth, who took \$30,000 and are seeking another \$10,000 [for a 15 page motion] had an undisclosed conflict of interest, [representing a Sheriff] when they knew I had a federal claim against the Sheriff of Dallas County, [who is just been subpoenaed to a grand jury on an investigation of his acts unrelated to this]. In short, I believe that the Justice Department is working hand in glove with my adversaries to cause me irreparable harm and damages, and has made its way into my relationship with current lawyers, who are now seeking to withdraw, to further ruin my reputation, and cast me in bad light. Some of the witnesses, I intend to subpoena to testify at such hearing, are the following local attorneys: Kathryn Gleason, Esq., Cameron Gulden, Esq., a Ms. Oblon of the I.R.S., Michael Moody, Esq., Larry Wolfson, Esq., Dan Shaw, Esq., Sara Cook, Esq., Paul Horowitz, Esq., Mike Davis, Esq., Sam Neshis, Esq., Prof. of Law Anthony D'Amato, Chester Foster, Esq., Eugene Crane, Esq., Bruce Wald, Esq., Thomas Goedert, Esq., Tom Hayes, Esq., and others.

Just one of many glaring examples of Orders from a federal judge in Dallas, that I asked Mr. Ingram to cite, who either failed or refused, is that a bankruptcy Judge refused to honor my informal proof of claim, and my formal Request that she Enforce the Automatic Stay, in favor of a Chapter 11 lawyer, who filed just a day before I had him served, and to which he answered as part of the cross and third party compulsory claims. Such lawyer was a lawyer of Record, for my former wife during the entire time that her Divorce lawsuit against me was pending, and if she had any claim it was against him and the other law firm that she hired at the same time. I had to make such a claim for indemnity or contribution, in the malicious prosecution that my ex-wife filed in Texas, as a matter of law, or it would have been waived. The bottom line is that the parties who were her fiduciaries as a matter of law, have never had to be judged by a jury, since my questions [for 7 years were refused] on their duty to her. The conclusive evidence proves she got exactly what she wanted, and more than she deserved, while I have been unable to live in peace, enforce the obligations of contracts, and earn a living for the last eight years.

Judge Houser threatened me and ruled that my suit in state court, against Mark Stewart was void, just as I am asking you to hold, as to the state court judgment that arose therefrom, in which the same purported creditor, the same former wife, (now "Thornhill") was seeking to enforce in Pennsylvania, before I sought relief in the 68<sup>th</sup> District Court, which refused me a forum, and then in this Court, where it was automatic. I reserve my time and right to fully develop all of my facts, which I intend to state with particularity, and prove by self-proving documents, public records, and audio and video tape evidence. This Case is too important to American Jurisprudence and all of our Civil Rights, to be ignored or swept under the rug. I pray God, and I believe that, you, if anyone, will give me a fair and open forum to redress my claims and defenses, and bring forth evidence of official corruption.

Respectfully submitted;

Virgil F. Liptak

# United States District Court

Northern District Of Illinois

Local Rules

## LR83.29. Appointment of Counsel

**(a) Appointment.** The Executive Committee or the judge to whom the case is assigned may appoint one or more attorneys to investigate allegations of misconduct, to prosecute disciplinary proceedings, or in conjunction with a reinstatement petition filed by a disciplined attorney. The United States attorney or an assistant United States attorney, the administrator of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois or a designee of the administrator, or a member of the bar of this Court may be appointed. Once appointed, an attorney may not resign unless permission to do so is given by the Executive Committee or the judge to whom the case is assigned.

**(b) Subpoenas.** An attorney appointed under section (a) may, with the approval of the Executive Committee or the judge to whom the case is assigned, cause subpoenas to be issued during the proceedings. Any subpoenas issued pursuant to this rule shall be returnable before the Executive Committee or the assigned judge.